

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

RONALD E. PROCTOR, JR., :
 :
 Plaintiff, :
 :
 v. : Civil Action No. 04-946 JJF
 :
 C/O/ PHELPS and SGT. TOWNSEND, :
 :
 Defendants. :

O R D E R

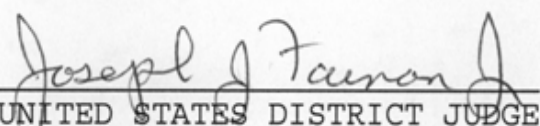
WHEREAS, on October 15, 2004, the Court entered an Order (D.I. 6) pursuant to 28 U.S.C. 1915(g) prohibiting Mr. Proctor from filing another civil action in forma pauperis while incarcerated unless he is in "imminent danger of serious physical injury," and ordering Mr. Proctor to pay the \$150.00 filing fee due in the above-captioned case within 30 days;

WHEREAS, Mr. Proctor's appeal of the Court's October 15 Order (D.I. 6) was dismissed by the Third Circuit for failure to timely prosecute (D.I. 14);

WHEREAS, Mr. Proctor has failed to file the \$150.00 filing fee;

NOW THEREFORE, IT IS HEREBY ORDERED that the above-captioned case is **DISMISSED** without prejudice pursuant to 28 U.S.C. 1915(g).

March 14, 2005
DATE


UNITED STATES DISTRICT JUDGE